

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE DEPARTMENT OF LABOR AND INDUSTRY

In the Matter of J.D. Roofing &
Construction, Inc.
License No. 20219241

PREHEARING ORDER

A prehearing conference was held on February 21, 2007 at the Office of Administrative Hearings, 100 Washington Avenue South, Suite 1700, Minneapolis, MN 55401. Michael J. Tostengard, Assistant Attorney General, 445 Minnesota Street, Suite 1200, St. Paul, MN 55101-2130, appeared on behalf of the Department of Labor and Industry. Harry A. Sieben, Jr., Sieben, Grose, Von Holtum & Carey, Ltd., 800 Marquette Avenue, Suite 900, Minneapolis, MN 55402, appeared on behalf of John Buszta, J.D. Roofing & Construction, Inc.

The parties have agreed that they will attempt to reach a settlement, but requested that the matter be set for hearing in the event that the settlement could not be finalized. The Department has agreed to turn over its file to the Licensee and engage in informal discovery, if necessary.

IT IS HEREBY ORDERED:

1. This matter is scheduled for hearing on **May 18, 2007**, commencing at **9:30 a.m.** at the Office of Administrative Hearings, 100 Washington Avenue South, Suite 1700, Minneapolis, MN 55401.

2. The parties shall exchange proposed written exhibits and witness lists, and file an index of exhibits and a copy of the witness list with this office by **May 11, 2007**. To the extent possible, the parties shall enter into prehearing stipulations regarding the facts involved in the hearing and foundation for anticipated exhibits. Any party objecting to foundation for any written exhibit shall notify the offering party and judge in writing at least two working days prior to the hearing or the foundation objection is waived.

3. Hearings are ordinarily tape-recorded. In the event that any party requests a court reporter, notice shall be given to the Office of Administrative Hearings no later than **May 11, 2007**. See Minn. R. 1400.7400, subp. 2.

4. Requests for subpoenas for the attendance of witnesses or the production of documents shall be made in writing to the administrative law judge pursuant to Minn. R. 1400.7000. A copy of the subpoena request shall be served

on the other parties. A subpoena request form is available at www.oah.state.mn.us.

5. The parties have not requested accommodation for a disability or appointment of an interpreter. The Office of Administrative Hearings shall be notified promptly if either an accommodation or interpreter is needed.

6. This case may be appropriate for mediation. The parties are encouraged to consider requesting the Chief Administrative Law Judge to assign a mediator so that mediation can be scheduled promptly.

Dated this 22nd day of February 2007.

/s/ Beverly Jones Heydinger
BEVERLY JONES HEYDINGER
Administrative Law Judge